

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

Backup Power Source, Inc.,

Debtor.

Erik A. Ahlgren, Trustee,

Plaintiff,

vs.

Charles Michael Clour,

Defendant.

SCHEDULING ORDER

BKY NO. 17-33288

ADV NO. 18-3017

This matter came before the Court on its own initiative. The complaint commencing this proceeding was filed on February 20, 2018.

IT IS ORDERED:

1. On or before April 12, 2018, the plaintiff shall file a statement pursuant to Fed. R. Bankr. P. 7008 regarding consent to entry of final orders or judgment by the bankruptcy court.
2. All discovery shall be concluded no later than May 28, 2018 unless an extension is granted upon motion to the Court. Sanctions will be imposed upon a party and counsel who are found to have abused or misused discovery. Sanctions will be imposed in the minimum amount of \$500.00, and may be imposed in amounts of \$1,000.00 or more.
3. All nondispositive motions, including motions relating to discovery, shall be filed on or before May 28, 2018.
4. All dispositive motions shall be filed on or before June 27, 2018.
5. Inapplicability and Applicability of Disclosure Requirements. The provisions of Fed. R. Civ. P. 26(a)(1), (initial disclosure), 26(a)(3) (pretrial disclosures), and 26(f) (formal pre-discovery conference) shall not apply to this adversary proceeding. The provisions of Fed. R. Civ. P. 26(a)(2) (disclosure relating to expert witnesses) shall apply. If any party contemplates the use of an expert witness, its counsel shall file notice thereof by April 12, 2018. After the filing of any such notice, any participating party may request a status conference to address the timing of expert witness disclosure, if the parties cannot resolve the issues consensually. That conference will be conducted telephonically.

6. Case will be considered "ready for trial" on expiration of the dispositive motion period. The trial will be scheduled for one half day unless a written request for a longer trial is made, with explanation, in advance of the deadline for dispositive motions.
7. A pretrial may not be scheduled unless the trial requires more than one day or a written request is made, with explanation, by either party in advance of the deadline for dispositive motions.
8. In the event of a settlement, each party has an independent obligation to notify the calendar clerk within 24 hours after a settlement agreement has been reached. Unless the Court orders otherwise, the settlement documents shall be filed within ten (10) calendar days after oral notice of the settlement.
9. The dates fixed in this order are mandatory. Deadlines shall not be extended except by court order.

Dated: *March 29, 2018*

/s/ Katherine A. Constantine
United States Bankruptcy Judge

NOTICE OF ELECTRONIC ENTRY AND FILING ORDER OR JUDGMENT Filed and Docket Entry made on 03/29/2018 Lori Vosejka, Clerk, by SKM
